

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jeffery Battle,) C/A No. 0:11-1044-DCN-PJG	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Commissioner of the Social Security Administration,)	
)	
Defendant.)	
_____)	

This social security action is before this court pursuant to 42 U.S.C § 405(g) for review of a final decision of the Commissioner of the Social Security Administration (“Commissioner”). The plaintiff initiated this action and filed his Complaint on April 29, 2011. (ECF No. 1.) The Commissioner filed an answer along with a transcript of record on August 29, 2011. (ECF Nos. 11 & 12.)

The Local Rules of this District state that, after the filing of an answer, a plaintiff has thirty (30) days in which to file a written brief. Local Civil Rule 83.VII.04 DSC. The plaintiff’s brief was due on or before October 3, 2011. On October 4, 2011 the plaintiff was granted additional time in which to file a brief until November 2, 2011. (ECF No. 14.) As of this date, the plaintiff has not filed a brief and has presented no argument as to why the decision by the Commissioner is not supported by substantial evidence. It therefore appears that the plaintiff does not wish to continue to prosecute this action. Accordingly,

IT IS ORDERED that the plaintiff shall have **fourteen (14) days** from the date of this order in which to file a brief. **Failure to do so may result in a recommendation that this case be dismissed for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

November 3, 2011
Columbia, South Carolina